



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY



1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • P.O. BOX 2815, SACRAMENTO, CALIFORNIA 95812-2815
(916) 323-2514 • (916) 324-0908 FAX • WWW.CALEPA.CA.GOV

LINDA S. ADAMS
SECRETARY FOR
ENVIRONMENTAL PROTECTION

ARNOLD SCHWARZENEGGER
GOVERNOR

Certified Mail: 7003 1680 0000 6167 6056

May 19, 2008

Mr. Steve Lederer, Director
County of Napa
Department of Environmental Management
1195 Third Street, Room 101
Napa, California 94559-3048

Dear Mr. Lederer:

The California Environmental Protection Agency (Cal/EPA), Governor's Office of Emergency Services, Office of the State Fire Marshal, Department of Toxic Substances Control, and the State Water Resources Control Board conducted a program evaluation of the Napa County Department of Environmental Management Certified Unified Program Agency (CUPA) on March 19 and 20, 2008. The evaluation was comprised of an in-office program review, and field oversight inspections, by State evaluators. The evaluators completed a Certified Unified Program Agency Evaluation Summary of Findings with your agency's program management staff. The Summary of Findings includes identified deficiencies, a list of preliminary corrective actions, program observations, program recommendations, and examples of outstanding program implementation.

The enclosed Evaluation Summary of Findings is now considered final and based upon review, I find that Napa County Department of Environmental Management's program performance is satisfactory with some improvement needed. To complete the evaluation process, please submit Deficiency Progress Reports to Cal/EPA Unified Program that depict your agency's progress towards correcting the identified deficiencies. Please submit your Deficiency Progress Reports to Jennifer Lorenzo every 90 days after the first progress report submittal date. The first deficiency progress report is due on August 14, 2008.

Cal/EPA also noted during this evaluation that Napa County Department of Environmental Management has worked to bring about a number of local program innovations, including its excellent outreach to the regulated community on business plans and hazardous waste requirements. We will be sharing these innovations with the larger CUPA community through the Cal/EPA Unified Program web site to help foster a sharing of such ideas statewide.

Mr. Steve Lederer
May 19, 2008
Page 2

Thank you for your continued commitment to the protection of public health and the environment through the implementation of your local Unified Program. If you have any questions or need further assistance, you may contact your evaluation team leader or Jim Bohon, Manager, Cal/EPA Unified Program at (916) 327-5097 or by email at jbohon@calepa.ca.gov.

Sincerely,

[Original signed by Don Johnson]

Don Johnson
Assistant Secretary
California Environmental Protection Agency

Enclosure

cc/Sent via email:

Mr. John Kara
Environmental Health Manager
Napa County Environmental Management Department
1195 Third Street, Room 101
Napa, California 94559-3048

Mr. Doug Calhoun
Environmental Health Supervisor
Napa County Environmental Management Department
1195 Third Street, Room 101
Napa, California 94559-3048

Ms. Marcele Christofferson
State Water Resources Control Board
P.O. Box 944212
Sacramento, California 94244-2102

Mr. Francis Mateo
Office of the State Fire Marshal
P.O. Box 944246
Sacramento, California 94244-2460

Mr. Frederick Thomas
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

Mr. Steve Lederer
May 19, 2008
Page 3

cc/Sent via Email:

Mr. Fred Mehr
Governor's Office of Emergency Services
P.O. Box 419047
Rancho Cordova, California 95741-9047

Mr. Kevin Graves
State Water Resources Control Board
P.O. Box 944212
Sacramento, California 94244-2102

Ms. Terry Brazell
State Water Resources Control Board
P.O. Box 944212
Sacramento, California 94244-2102

Mr. Charles McLaughlin
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

Ms. Asha Arora
Department of Toxic Substances Control
700 Heinz Avenue, Suite 210
Berkeley, California 94710

Mr. Ben Ho
Office of the State Fire Marshal
P.O. Box 944246
Sacramento, California 94244-2460

Mr. Brian Abeel
Governor's Office of Emergency Services
P.O. Box 419047
Rancho Cordova, California 95741-9047



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

Enclosure



LINDA S. ADAMS
SECRETARY FOR
ENVIRONMENTAL PROTECTION

1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • P.O. BOX 2815, SACRAMENTO, CALIFORNIA 95812-2815
(916) 323-2514 • (916) 324-0908 FAX • WWW.CALEPA.CA.GOV

ARNOLD SCHWARZENEGGER
GOVERNOR

CERTIFIED UNIFIED PROGRAM AGENCY EVALUATION SUMMARY OF FINDINGS

CUPA: NAPA COUNTY DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Evaluation Date: March 19 and 20, 2008

EVALUATION TEAM

Cal/EPA: Jennifer Lorenzo
SWRCB: Marcele Christofferson
OES: Fred Mehr
DTSC: Frederick Thomas
OSFM: Francis Mateo

This Evaluation Summary of Findings includes the deficiencies identified during the evaluation, program observations, and recommendations, and examples of outstanding program implementation activities. Questions or comments can be directed to Jennifer Lorenzo at (916) 327-9560.

	<u>Deficiency</u>	<u>Corrective Action</u>
1	The CUPA's fiscal year (FY) 05/06 and 06/07 Self-Audit Reports did not contain all the required elements. The reports were missing the narrative summary of the effectiveness of program activities on permitting. CCR, Title 27, Section 15280 (c)(2)(A) [Cal/EPA]	By October 15, 2008, the CUPA will submit their FY 07/08 Self-Audit Report that contains all the required elements.
2	The CUPA is not remitting all state surcharges collected to the Secretary for Environmental Protection. Based on the Annual Single Fee Summary Report 2 for FY 04/05 and 05/06, the CUPA failed to remit the entire CUPA oversight surcharges collected. CCR, Title 27, Section 15250 (b)(1) [Cal/EPA]	The CUPA corrected this deficiency on April 16, 2008.
3	The CUPA does not provide for a consolidated permit process to its regulated businesses. While the CUPA is in the process of changing into a new database management system (Garrison Digital Health), the CUPA also intends to begin implementing the consolidated permitting process. CCR, Title 27, Section 15190 (b) and (c) [Cal/EPA]	By December 15, 2008, the CUPA will implement and provide for a consolidated permitting process to its regulated community. Beginning August 14, 2008, the CUPA will submit a report of their progress toward correcting this deficiency, including a copy of a consolidated permit issued to a facility regulated under multiple Unified Program elements.
4	The CUPA is not conducting hazardous waste generator inspections with a frequency consistent with their	On an annual basis, the CUPA will inspect approximately a third of its

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

	<p>Inspection and Enforcement (I&E) Program Plan, which is triennial. Based on the Annual Inspection Summary Report 3, the CUPA inspected 36 percent of its hazardous waste generator facilities in FY 04/05, 29 percent in FY 05/06, and 23 percent in FY 06/07. The decrease in their inspections is largely due to staffing challenges that the CUPA has experienced; however all positions are now filled and the CUPA expects to meet their inspection goals.</p> <p>CCR, Title 27, Section 15200 (a)(3)(A) [DTSC]</p>	<p>hazardous waste generator facilities. Beginning August 14, 2008, the CUPA will submit a status of their progress, including the number of facilities and the number of facilities inspected.</p>
5	<p>The CUPA is not retaining copies of inspection reports for the five-year minimum. Based on a file review from the CUPA's "OnBase" database, the 2006 inspection report for a Class II violator, Napa Wooden Box, was missing.</p> <p>HSC Chapter 6.5, Section 25404 CCR, Title 27, Section 15185 (c)(1) [DTSC]</p>	<p>The CUPA corrected this deficiency on April 7, 2008.</p> <p>The CUPA will retain all inspection reports for the five year minimum.</p>
6	<p>The CUPA has not amended their Unified Program Administrative Policy and Procedure manual to include a discussion of how the CUPA will expend five percent of their hazardous waste-related resources to the oversight of universal waste handlers and silver-only generators according to the Health and Safety Code chapter 6.5, section 25201.4 (c) and the California CUPA Forum May 2001 position paper. Silver-only generators are currently being documented.</p> <p>HSC, Chapter 6.5, Section 25201.4 (c) [DTSC]</p>	<p>The CUPA corrected this deficiency on April 16, 2008.</p> <p>The CUPA has developed a checklist for universal wastes and updated their I&E Program Plan to include the inspection of universal wastes.</p>
7	<p>The CUPA's emergency response plans/procedures are missing an element. The CUPA is missing the identification of areas of the facility and mechanical or other systems that require immediate inspection or isolation because of their vulnerability to earthquake-related ground motion.</p> <p>HSC, Chapter 6.95, Section 25503.3 (b)(1) and CCR, Title 19, Section 2731 [OES]</p>	<p>The CUPA corrected this deficiency on April 7, 2008.</p> <p>The CUPA included all the required elements into their emergency response plan/procedures. No further update is requested. However, the CUPA needs to ensure that all businesses subject to the business plan program are informed of this new information.</p>
8	<p>The CUPA's annotated map boiler plate for the business plan does not have all the required fields. The map is missing the location of emergency response equipment.</p> <p>CCR, Title 19, Section 2729 (a)(3) [OES]</p>	<p>The CUPA corrected this deficiency on April 7, 2008. The CUPA revised its annotated map boiler plate to include all required fields. No further update is required. However, the CUPA needs to ensure that all businesses subject to the business plan program are informed of this new information.</p>

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

9	<p>The CUPA's training program template for business plan facilities does not contain all of the required elements. The following elements are missing:</p> <ul style="list-style-type: none"> a. Methods for safe handling of hazardous materials; b. Procedures for coordination with emergency response organizations; c. Use of emergency response equipment and supplies under the control of the handler; and d. All emergency response plans and procedures for response to a release or threatened release of hazardous materials. <p>CCR, Title 19, Section 2732 [OES]</p>	<p>The CUPA corrected this deficiency on April 7, 2008.</p> <p>The CUPA included all the required elements into its training program template. No further update is requested. However, the CUPA needs to ensure that all businesses subject to the business plan program are informed of this new information.</p>
10	<p>The CUPA's California Accidental Release Prevention (CalARP) dispute resolution procedure does not contain all the required elements. The dispute resolution did not include the appeal to the Director of the Governor's Office of Emergency Services (OES).</p> <p>CCR, Title 19, Section 2780.1 (b) [OES]</p>	<p>This deficiency was corrected at the time of the evaluation.</p> <p>The CUPA incorporated the appeal to the Director of OES into its CalARP dispute resolution procedure.</p>
11	<p>The CUPA is not ensuring that precise chemical locations and site maps of hazardous materials business plan facilities are kept from being released to the public. Site maps were found on the public online access.</p> <p>HSC, Chapter 6.95, Section 25506 (a) [OES]</p>	<p>The CUPA corrected this deficiency on April 21, 2008.</p> <p>The CUPA's Information Technology Department is responsible for checking the public online access to the CUPA's facility files on a weekly basis to ensure that confidential information is not released.</p>
12	<p>The CUPA does not have a process for disclosure of confidential information to government employees and physicians.</p> <p>HSC, Chapter 6.95, Section 25511 (d) [OES]</p>	<p>This deficiency was corrected at the time of the evaluation.</p> <p>The CUPA incorporated a process of disclosing confidential information to government employees and physicians into its Policy and Procedure Manual.</p>
13	<p>The CUPA does not have a process for public inspection of trade secret inventory information.</p> <p>HSC, Chapter 6.95, Section 25511 (c) [OES]</p>	<p>This deficiency was corrected at the time of the evaluation.</p> <p>The CUPA incorporated a process for public inspection of trade secret information into its Policy and Procedure Manual.</p>
14	<p>The CUPA does not ensure that business plan facilities are certifying at least once every three years that their inventory has not changed. Based on a review of the facility files, at least 25 percent of the facility files lacked</p>	<p>By August 14, 2008, the CUPA will submit the number of businesses that have filed inventory certifications (of "no change") and also the number of</p>

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

	<p>a current inventory or certification of “no change” to their inventory.</p> <p>The CUPA currently sends the business plan certification form to each regulated business along with their invoice. If the form is not returned with the permit fee, a Notice of Violation is sent to the business. Further follow-up will be initiated for each facility that fails to certify that the business plan has been reviewed and is correct.</p> <p>HSC, Chapter 6.95, Section 25505 (c) [OES]</p>	<p>businesses that submitted new inventories as of August 14, 2008.</p>
15	<p>The CUPA has not inspected all regulated businesses subject to the hazardous materials business plan program at least once every three years. Based on a review of the facility files, about 25 percent of the files reviewed had not been inspected in the past three years.</p> <p>The CUPA has experienced significant turnover during the last fiscal year, thus the inspection numbers reflect the staffing challenges. While the CUPA was down to one person at one point during FY 06/07, all four of the positions are now filled and the CUPA expects to meet their inspection goals.</p> <p>HSC, Chapter 6.95, Section 25508 (b) [OES]</p>	<p>On an annual basis, the CUPA will inspect approximately a third of its business plan facilities.</p> <p>Beginning August 14, 2008, the CUPA will submit a status of their progress, including the total number of registered facilities and the number of facilities inspected.</p>
16	<p>The CUPA’s Permit to Operate for the underground storage tank (UST) program does not contain all of the required elements. The monitoring of the tanks and piping is not indicated on the permit. The permit conditions also do not include compliance with all applicable laws and regulations, specifically Health and Safety Code chapter 6.75 and chapter 18 of the California Code of Regulations title 23.</p> <p>In addition, the CUPA does not retain a copy of the permit for their files but only the expiration date of the permit.</p> <p>CCR, Title 23, Section 2712 (c) and (h) [SWRCB]</p>	<p>By August 14, 2008, the CUPA will revise its permit to include monitoring of the tanks and piping, and include language that requires the owner or operator to comply with Health and Safety Code chapter 6.75 and the California Code of Regulations title 23, chapter 18 in the permit conditions.</p> <p>Beginning May 16, 2008, the CUPA will retain a copy of each permit issued (either a paper copy or an electronic image) for its files.</p>
17	<p>The monitoring plans reviewed were missing some elements, such as training plan, responsible person, and reporting format/logs. Response plans were also absent in several files.</p> <p>CCR, Title 23, Section 2632 (d)(1),(2) [SWRCB]</p>	<p>By March 18, 2009, the CUPA will ensure that all monitoring and response plans are complete in all UST files.</p> <p>Beginning August 14, 2008, update Cal/EPA and SWRCB on the status of this deficiency.</p>
18	<p>The CUPA’s inspection report does not document or detail the inspection, but consists of summary of violations or notice to comply (NTC) only information.</p>	<p>By August 14, 2008, the CUPA will develop a detailed inspection report showing the items reviewed.</p>

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

	There is no record of components reviewed. A comprehensive inspection checklist details the inspection and ensures consistency between inspectors. HSC, Chapter 6.7, Section 25288 [SWRCB]	
19	The CUPA does not have an installation/plan check checklist to ensure that proposed installations meet all of the required criteria. Although installation inspections are documented that they have been completed, an inspection report is not prepared detailing the inspection. CCR, Title 23, Section 2635 (d)(5) [SWRCB]	This deficiency was corrected on April 21, 2008. The CUPA developed an installation/plan check list that included all required criteria.

CUPA Representative

John Kara
(Print Name)

Original signed
(Signature)

Evaluation Team Leader

Jennifer L. Lorenzo
(Print Name)

Original signed
(Signature)

PROGRAM OBSERVATIONS AND RECOMMENDATIONS

The observations and recommendations provided in this section address activities the CUPA are implementing and/or may include areas for continuous improvement not specifically required of the CUPA by regulation or statute.

1. **Observation:** While the CUPA has begun incorporating some of the state Aboveground Petroleum Storage Act (APSA) requirements into its Policy and Procedure manual and I&E Program Plan, the aboveground storage tank (AST) section on page 38 of the CUPA's I&E Program Plan states, "No enforcement action is taken against a facility with violations of the Spill Prevention Control and Countermeasure (SPCC) Plan. Referral is made to the appropriate Regional Board."

Recommendation: Remove the two statements on page 38 of the I&E Program Plan and continue to follow and implement the work plan per the CUPA's APSA grant application regarding the inclusion of APSA requirements into the CUPA's Policy and Procedures and I&E Program Plan. *(The CUPA has followed the recommendation and removed the abovementioned statements within its I&E Program Plan on April 16, 2008. The CUPA will continue to follow and implement the work plan per the CUPA's APSA grant application.)*

2. **Observation:** The CUPA has a high single fee collection rate of approximately 100 percent for the last three fiscal years.
3. **Observation:** Since the last evaluation in April 2005, the CUPA has begun incorporating auto dismantlers and dentist's offices, where applicable, into its hazardous materials business plan and hazardous waste generator programs.
4. **Observation:** Since the last evaluation in 2005, the CUPA has created a process to allow "exempt" USTs, such as those found at agricultural facilities, to be removed under permit.
5. **Observation:** On the CUPA's Policy and Procedure Manual, under the Fees and Fee Disputes section on page 7, the CUPA states, "Other than City and County sites, no facilities are exempt from payment of the state surcharges." This statement may be interpreted as the CUPA exempting the city and county government facilities from state surcharges only and not the other single fees. However, the CUPA does not exempt city and county sites from only state surcharges but also all single fees.

Recommendation: Revise the statement to read "Other than City and County sites, no facilities are exempt from payment of *all single fees, including* the state surcharges." *(The CUPA followed the recommendation and revised its Policy and Procedure Manual on April 16, 2008.)*

6. **Observation:** The 15-day Notice of Violation protocol is not included in the CUPA's I&E Program Plan.

Recommendation: The CUPA should update its I&E Program Plan to include the 15-day Unified Program supervisor follow-up protocol. *(On April 16, 2008, the CUPA revised its I&E Program Plan to read as follows:*

"Before leaving the facility, the inspector shall review the inspection results with the operator/manager. An inspection report is prepared and given to each business inspected. The

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

inspection report is a formal notice to comply, and gives the operator 30 days to return to compliance. If violations are not corrected in 30 days, a Notice of Violation is sent, certified mail, giving 15 days to correct the violation with a warning that failure to correct will result in legal action. If the notice to comply and the notice of violation do not lead to the facility's return to compliance, the inspector shall conduct a follow up inspection within 30 days of the date on the notice of violation. Additionally, if the violations are not corrected within 15 days the facility is referred to the Unified Program supervisor for follow up (which may mean the supervisor joins the inspector on the follow up inspection). If the supervisor cannot obtain compliance, the administrative enforcement order process may be implemented."

DTSC recommends that the CUPA amend its I&E Program Plan to include information for minor violations [changes are in bold]:

*Before leaving the facility, the inspector shall review the inspection results with the operator/manager. An inspection report is prepared and given to each business inspected. The inspection report is a formal notice to comply, and gives the operator 30 days to return to compliance. **All minor violations must be corrected within the 30 days of the inspection date and proof of correction must be sent to the CUPA.** If Class I or Class II violations are not corrected in 30 days, a Notice of Violation is sent, certified mail, giving 15 days to correct the violation with a warning that failure to correct will result in legal action. If the notice to comply and the notice of violation do not lead to the facility's return to compliance, the inspector shall conduct a follow up inspection within 30 days of the date on the notice of violation. Additionally, if the violations are not corrected within 15 days the facility is referred to the Unified Program supervisor for follow up (which may mean the supervisor joins the inspector on the follow up inspection). If the supervisor cannot obtain compliance, the administrative enforcement order process may be implemented.*

DTSC also highly recommends that the CUPA uses the I&E Program Guidance document that is available on Cal/EPA's website at <http://www.calepa.ca.gov/CUPA/Resources/>.

- 7. Observation:** The CUPA's I&E Program Plan does not indicate when re-inspections will be conducted if there is no compliance with the NTC form.

Recommendation: On a prescribed date after a facility has not come into compliance, a re-inspection should occur. (*See notes to observation 6.*)

- 8. Observation:** The CUPA's facility files are stored electronically onsite, which is accessible through their online database called OnBase. Facility files that are stored and maintained electronically in OnBase include business plan forms, annual updates, chemical inventories, permits, reports, and other administrative files or documentation. The CUPA maintains its hard copies offsite, which takes extra time for retrieval if information is missing or incomplete in their online database.

Recommendation: A procedure should be implemented to ensure onsite files are complete or missing parts can be retrieved quickly by any authorized individual.

- 9. Observation:** During the evaluation and testing of the CUPA's computer for public use, some minor problems were observed. For example, when the CUPA's OnBase system was accessed to review facility

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

files, two error messages were displayed and both stated: (1) “Temporary Parse Path is Invalid” and (2) “Report Path is Invalid.” Additionally, the public user could access some confidential information, such as facility maps. The CUPA had to seek assistance from their information technology (IT) support personnel to reconfigure the program.

Recommendation: The CUPA should ensure that its IT support thoroughly tests, checks, and verifies that there are no “bugs” before allowing all levels of accessibility of the computer database, information, and all computer programming. In addition, the IT support should be tasked to constantly ensure security and continuously improve and maintain the computer database and electronic information capability of the CUPA’s data management.

10. Observation: The CUPA is in the process of changing from a storage-type data management system (OnBase) into a new database management system (Garrison Digital Health) that will allow more capabilities and flexibility for the CUPA to implement their Unified Program effectively and efficiently. The CUPA expects to have its data converted into this new system within two months. The CUPA anticipates that many of their current problems with OnBase will be eliminated.

11. Observation: Facility files (hard copy) for the UST sites are not optimally organized, as documents are hard to find.

Recommendation: The SWRCB recommends that the CUPA use four or six-part folders to organize paper files.

12. Observation: The CUPA’s NTC form states the return to compliance date at the end of the summary of violations. The return to compliance date is within 30 days of the inspection date.

Recommendation: The SWRCB recommends that each violation have a return to compliance date as some violations may need to be corrected sooner or later than the 30-day return to compliance date.

13. Observation: The CUPA documents that repair/modification testing takes place, but does not document the inspection that they conduct.

Recommendation: The SWRCB recommends that the CUPA develop inspection reports for the inspections they conduct for repairs, modifications, etc. *(On April 21, 2008, the CUPA submitted two repair permit forms with a list of inspections (tests, certification, etc.) at the bottom of the form and spaces are provided for the date of each inspection and the inspector’s initials. Although the CUPA may document that certain inspections have been conducted, the permit form is not an inspection report and does not provide details of an inspection. For further direction, the CUPA is encouraged to contact SWRCB.)*

14. Observation: Napa County’s UST ordinance states that county and city government agencies are not exempt from the UST program fees; however, the CUPA states that such sites are exempt from single fees.

Recommendation: SWRCB recommends that the ordinance be amended to reflect the current and correct policy.

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

15. Observation: In addition to implementing the Unified Program, the CUPA also implements the storm water program and the Local Oversight Program for the County of Napa. The CUPA has successfully provided oversight for the cleanup of 20 contaminated sites since the last evaluation in April 2005.

16. Observation: The CUPA has already begun utilizing the new Unified Program Consolidated Forms. However, the information has yet to be disseminated to the regulated community.

Recommendation: When the CUPA sends their annual single fee invoice to the regulated businesses, the CUPA may also want to send the new UPCF's and certification forms. *(The CUPA has updated its website to include the new forms and also updated the packets sent to facilities. The CUPA plans to distribute the new forms during inspections and request that the forms be completed and submitted to the CUPA.)*

17. Observation: The CUPA coordinates and meets with fire and emergency response agencies on a regular basis. In addition, they share business plan information with these agencies in 15 days or less. The fire agencies have 24-hour access to the CUPA's OnBase system via the internet.

18. Observation: Although there were some problems in accessing their online database, the CUPA has transitioned from "hard copy" files to an electronic information and database management system with multiple capabilities.

19. Observation: Chief Financial Officer (CFO) letters are not up-to-date in the UST facility files. Mechanisms for showing financial responsibility based on financial records are required to be updated annually based on the most current financial statements.

Recommendation: The CUPA should review these annually to ensure that the mechanism is still valid for the UST facility, otherwise the facility must provide another means for demonstrating financial responsibility. Although the CFO letters are not expressly required to be submitted to the CUPA annually, but be maintained on site, or at the owner/operators place of business, the CUPA may request that they be submitted at anytime. If the CFO letters are not submitted, they should be reviewed during the annual inspection and documented that they are in compliance.

20. Observation: CUPA inspectors are issued tablet computers for field use. This enables staff various capabilities. For example, inspectors are able to access current and past information of the facilities that they are inspecting. The CUPA has also purchased the necessary hardware to be able to print inspection reports at the conclusion of each inspection for a more efficient program.

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION

1. The CUPA provides excellent outreach to its regulated community in order to educate businesses and obtain compliance. The CUPA Director Steve Lederer has highly commended the supervisor, Doug Calhoun, for his outstanding outreach efforts to the CUPA's regulated community and excellent coordination with the fire departments in Napa County. Since the last CUPA evaluation in April 2005, the CUPA has achieved the following:
 - a) Provided business plan training to a group of winery safety professionals;
 - b) Coordinated two training drills for the Napa Interagency Hazardous Incidence Team;
 - c) Trained staff from the county fire agencies in the use of OnBase, which is the CUPA's online database of scanned facility files, including business plan files, correspondences, inspection reports, and notice of violations; and also
 - d) Provided hazardous materials business plan and hazardous waste regulations and handling to over 300 agricultural workers and managers, coordinated by the Napa County Agricultural Commissioner's Office. Pesticide training is also offered by the Agricultural Commissioner's Office once every two years.

At least once every three years, the CUPA publishes a newsletter to provide information and assistance on compliance, current legislation, regulations, and other pertinent information for the regulated community. In addition, the CUPA is an active participant in the Bay Area Green Business program. Prior to a business becoming certified as a "green business," the CUPA must first ensure that each business is also in compliance with the requirements of the Unified Program.

2. Since January 2005, the CUPA has issued five administrative enforcement orders (AEOs) and assessed over \$49,000 in penalties. Additionally, the CUPA has "red tagged" two UST systems.
3. The CUPA has excellent information on procedures, with respect to the District Attorney, that are included as an appendix to the I&E Program Plan. This allows inspectors to perform their duties with better understanding and diligence with regard to enforcement.
4. The CUPA determines Significant Operational Compliance at the time of the inspection and documents the results in their database for easy retrieval for completing Report 6.